

महाराष्ट्र शासन व नगर रचना अधिनियम.१५६६
कलम ३७(२) अन्वये विकास नियंत्रण नियमावलीत
करावयाच्या केरवदलाबाबतची अधिसूचना.

महाराष्ट्र शासन,

नगर विकास विभाग,

शासन निर्णय क्रमांक: टिपीबी-४३०८/८२९/प्र.क्र.१४४/२००८/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक : १२ डिसेंबर.२००८.

शासन निर्णयः- सोबतची अधिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिद्ध करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

अभिराज शिरकर
(अभिराज शिरकर)
अब्र सचिव, महाराष्ट्र शासन.

प्रति,

महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, वांद्रे-कुला संकुल, वांद्रे (पूर्व), मुंबई-५१.

महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.

उप सचिव, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.

प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिद्ध करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग. (नवि-११). मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, मुंबई यांना पाठविण्यांत याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२१), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कायवाही करावी)

निवडनस्ती (नवि-११).

सेवशान ३७ फाईल.

Development Control Regulations for
Mumbai Metropolitan Region
Development Authority, Bandra
Kurla Notified Area.

Sanction to modification under
section 37(2) of Maharashtra
Regional and Town Planning Act,
1966.

Modification to Regulation 4A(i)(a) ...

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.

Dated the 22. December, 2008.

NOTIFICATION

No.TPB 4308/829/CR-144/08/UD-11:

Whereas, Government of Maharashtra vide Notification of Urban Development & Public Health Department No. BMR-1177/262/UD-5, dated 7th March, 1977 had appointed "Mumbai Metropolitan Region Development Authority" (hereinafter referred to as "the said Authority") which is also a Planning Authority for development of Bandra-Kurla Complex Notified Area (hereinafter to as "the said Area");

And whereas, in exercise of its powers under clause (d) of sub-section (3) of Section 40 of the said Act, the Government of Maharashtra approved by its Notification, Urban Development and Public Health Department No. BKP.1177/262/UD-5 dated 9th April 1979, the proposals submitted by the Authority for the development of lands in the said Bandra-Kurla Complex together with General Development Control Regulations to be applied in such Notified Area (hereinafter referred to as "the said Regulations");

And whereas as per rule no. 6 of the said regulation, subject to the rule No. 5, the provisions of the Development Control Regulations for Greater Bombay framed by the Municipal Corporation of Greater Bombay from time to time in exercise of its powers under clause (m) of section 22 & all other applicable sections of the Maharashtra Regional & Town Planning Act 1966 are applicable mutatis mutandis to the development of land within the said area.

And whereas, as per regulation No. 23(g)(ii) of the Development Control Regulation of Gr. Mumbai, in a recreational open space or playground of 1000 sq.mt. or more in area, structures for the purpose of sports and recreation activities are permitted with built-up are not exceeding 15% of total recreational open space and plinth restricted to 10% of total area;

And whereas, the said Authority received representation to increase the built up area in recreational open space from 15% to 20% and the plinth area from 10% to 15%. Accordingly, the said Authority requested the Govt. to give suitable order/directions in this regard;

And whereas, the Govt. vide order of even No. dated 6/8/08 had given directions under section 37(1) of the said Act to initiate modification in Regulation No.23(g)(ii) of the Development Control Regulations of Gr. Mumbai, so as to permit 20% more built up area in recreational open space or playground exceeding 50,000 sq.mt. or more in area in Badra-Kurla Complex area;

And whereas, as per the Government's directives, the said Authority had initiated modification proposal in regulation 4(A)(ii)(a) of the said regulations, instead of regulation No. 23(g)(ii) of Development Control Regulation of Gr. Mumbai, and after following the process under section 37 of the said Act, submitted the proposal to Govt. for final sanction vide letter dated 11/11/2008;

And whereas, after considering the report of Director of Town Planning, Govt. finds it necessary to sanction the said modification proposal.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 37 of the said Act, the Government of Maharashtra hereby further sanctions the said modification as follows:

(A) Following proviso shall be added in Regulation 4(A)(ii)(a):

However, in a recreational open space or playground exceeding 50,000 sq.mt. or more in area (in one piece and in one place), structures for pavilion, gymnasium, club houses, and other structures for the purpose of sports and recreation activities may be permitted with built up area not exceeding 20% of the total recreational open spaces in one place. The area of plinth of such structure shall be restricted to 15% of the areas of total recreational open space.

(B) Fixes the date of publication of this notification in the official gazette (Ordinary) as the date of coming into force of the said modification.

(C) Direct the said Authority that, in the schedule of modifications appended to the aforesaid Government Notification sanctioning the said Regulations, after the last entry, the above entry (A) shall be added.

By order and in the name of the Governor of Maharashtra,

(Abhiraj Girkar)
Under Secretary to Government.